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4 BILL NO. S-77-03-20

5 SPECIAL ORDINANCE NO. S- 71-77

6 AN ORDINANCE approving a contract with
7 Earth Construction & Engineering Inc.,
for Repair of Sanitary Sewer.

8 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
9 WAYNE, INDIANA:

10 SECTION 1. That the contract dated December 14, 1976,
11 between the City of Fort Wayne, by and through its Mayor and the
12 Board of Public Works and Earth Construction & Engineering Inc.,
13 for:

14 Repair of Sanitary Sewer on Alley between Lake and
15 Dearborn Street.

16 for a total cost of \$33,617.07, all as more particularly set forth
17 in said contract which is on file in the Office of the Board of
18 Public Works and is by reference incorporated herein, made a part
19 hereof and is hereby in all things ratified, confirmed and
20 approved.

21 SECTION 2. This Ordinance shall be in full force and
22 effect from and after its passage and approval by the Mayor.

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34 APPROVED AS TO FORM
35 AND LEGALITY,

CITY ATTORNEY

Read the first time in full and on motion by P. Detmuss, seconded by Hunter, and duly adopted, read the second time by title and referred to the Committee on Public Works (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the day of _____, 1976, at _____ o'clock P.M., E.S.T.

DATE: 3-8-77

Charles W. Westerman /26

CITY CLERK

Read the third time in full and on motion by Moses, seconded by Delorus, and duly adopted, placed on its passage.

PASSED (HOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
<u>TOTAL VOTES</u>	<u>8</u>	<u>0</u>		<u>1</u>	
<u>BURNS</u>	<u>✓</u>				
<u>HINGA</u>	<u>✓</u>				
<u>HUNTER</u>				<u>✓</u>	
<u>MOSES</u>	<u>✓</u>				
<u>NUCKOLS</u>	<u>✓</u>				
<u>SCHMIDT, D.</u>	<u>✓</u>				
<u>SCHIMDT, V.</u>	<u>✓</u>				
<u>STIER</u>	<u>✓</u>				
<u>TALARICO</u>	<u>✓</u>				

DATE: 3-22-77

Charles W. Westerman

CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION)

ORDINANCE (RESOLUTION) NO. 1-71-77 on the 22nd day of March 1977.

ATTEST: (SEAL)

Charles W. Westerman

CITY CLERK

John Nuckles

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of March, 1976, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman

CITY CLERK

Approved and signed by me this 24th day of March, 1976,
at the hour of 1:30 o'clock P.M., E.S.T.

Ralph E. Armstrong

MAYOR

Bill No. S-77-03-20

REPORT OF THE COMMITTEE ON PUBLIC WORKS

We, your Committee on PUBLIC WORKS to whom was referred an Ordinance
approving a contract with Earth Construction & Engineering Inc.,
for Repair of Sanitary Sewer

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do PASS.

WINFIELD C. MOSES, JR. - CHAIRMAN

DONALD J. SCHMIDT

VIVIAN G. SCHMIDT

PAUL M. BURNS

SAMUEL TALARICO

DATE 3-27-77 CONCURRED IN

CHARLES W. WILSON, JR., City

Winfield C. Moses Jr.
Donald J. Schmidt

Vivian G. Schmidt
Paul M. Burns

Samuel Talarico

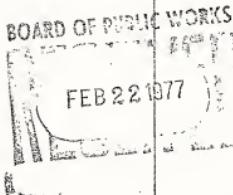
Memorandum

To BOARD OF PUBLIC WORKS Date 2/18/77
From PHILIP R. BOLLER
Subject EMERGENCY SEWER REPAIR, B.O. 90-76

COPIES TO:

NOTED

*M.H.
J.P.E.L.
J.P.P.
Date*



Attached for your review and action is a final billing from Earth, Inc. for subject repair in the amount of \$33,617.07.

On Feb. 17, 1977 a meeting was held in the 7th floor Conference Room with Messrs. Lougheed, Cleveland, Morreale, Embury and the undersigned to determine the cause and justification for the overrun on this repair. It was concluded from this meeting that, while this final billing was higher than the contractor's original estimate for this project, the final costs are real and justified for the following reasons:

1. The concrete pavement restoration for the alley exceeded the original estimate.
2. Some small additional pipe installation was required to complete the work satisfactorily.
3. The contractor, by both the evidence submitted in the attached letter and documentation reviewed by this department, under-estimated his trucking costs for hauling out the excavated material and hauling in the required granular backfill.

The work has been completed satisfactorily and in accordance with our specifications; therefore, we are recommending to the Board of Public Works that payment be made from the attached invoice and claim from Earth Construction & Engineering, Inc. in the amount of \$33,617.07.

Respectfully submitted,

C.U. & Council

Philip R. Boller
Philip R. Boller, P.E.
Chief Water Pollution Control Eng.

PRB/DE/iw
Att..

cc: H. Biggs
J. Morreale

64-135-16

2/23/77

64-135-16 2-23-77

"We Do Anything in Earth"



3333 ENGLE ROAD PHONE 219 744-1101
P. O. BOX 477 FORT WAYNE, INDIANA 46808

- SEWERS
- GRADING
- STREETS
- EXCAVATING

SOLD

TO
City of Fort Wayne,
Board of Public Works
Fort Wayne, Indiana

DATE	JOB NUMBER	CUSTOMER'S ORDER NO.	TERMS	
12/14/76	Lake & Dearborn		NET 10 DAYS	

Repair of Sanitary Sewer on Alley between Lake and Dearborn St.

Total amount earned \$33,617.07

Recommended For Payment
Water Pollution Control Engineering Dept.

APPROVED
Board of Public Works
Henry P. Wickerby, 2/17/77, Dean Enby
Eugene B. Palmer
May J. Scott

RECEIVED

FEB 17 1977

Water Pollution Control Engr. Dept.
City County Building, One Main St.
Ft. Wayne, Indiana 46802

ORIGINAL INVOICE

A CLAIM TO BE PROPERLY ITEMIZED, MUST SHOW KIND OF SERVICE, WHERE PERFORMED, DATES SERVICES RENDERED, BY WHOM, RATE PER DAY, NUMBER OF HOURS, RATE PER HOUR, PRICE PER FOOT, PER YARD, PER HUNDRED, PER POUND, PER TON, ETC.

To _____ Dr. _____

Address.

DATE 19—	ORDER NO.	ITEMIZED CLAIM	DOLLARS CTS.
		Repair of sanitary sewer at alley between Lake and Dearborn Street, as per our invoice #2337 dated December 17, 1976.	\$33,617.07

Pursuant to the provisions and penalties of Chapter 155, Acts of 1953,

I hereby certify that the foregoing is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Earth Construction & Engineering, Inc.

DATE December 14 1876

by Donald H. Cleveland Business Manager
Donald H. Cleveland **TITLE**

EEB 17 1977

West Dept.
City-County Building, One Main St.
El Wayne, Indiana 46802

CLAIM NO. _____ WARRANT NO. _____

IN FAVOR OF

I have examined the within claim and hereby certify as follows:

That it is in proper form.

That it is duly authenticated as required by law.

That it is based upon { contract
statutory authority

That it is apparently { correct
incorrect

CLAIM NO. _____ WARRANT NO. _____

IN FAVOR OF

Clerk-Treasurer

\$ _____

ON ACCOUNT OF APPROPRIATION

ON ACCOUNT OF APPROPRIATION

FOR _____

ALLOWED _____ 19 _____

IN THE SUM OF \$ _____

CERTIFY THAT THE WITHIN BILL IS TRUE AND CORRECT; THAT THE SUPPLIES AND MATERIALS THEREIN ITEMIZED AND FOR WHICH CHARGE IS MADE WERE ORDERED BY ME AND WERE NECESSARY TO THE PUBLIC BUSINESS; THAT EACH AND EVERY ITEM HAS BEEN DELIVERED TO ME AT PRICES MENTIONED AND WAS IN ACCORDANCE WITH CONTRACT, EXCEPT _____

19 _____

DUPPLICATE

DEPARTMENT REQUESTING ORDINANCE BOARD OF PUBLIC WORKS

8-77-03-20

SYNOPSIS OF ORDINANCE COVERS PROPOSED PAYMENT TO EARTH CONSTRUCTION & ENGINEERING, INC.
FOR EMERGENCY REPAIRS TO SANITARY SEWER ON ALLEY BETWEEN LAKE AND DEARBORN STREETS,
COMPLETED SATISFACTORILY.

ATTACHMENT: ITEMIZED INVOICE NO. 2337

TOTAL COST \$33,617.07

EFFECT OF PASSAGE FOR PAYMENT OF EMERGENCY WORK PERFORMED SATISFACTORILY BY EARTH
CONSTRUCTION & ENGINEERING, INC.

EFFECT OF NON-PASSAGE UNABLE TO PAY INVOICE SUBMITTED FOR PAYMENT.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) CITY UTILITIES' WATER POLLUTION
CONTROL ENGINEERING DEPARTMENT IN AMOUNT OF \$33,617.07.

ASSIGNED TO COMITTEE *Mode*